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\*Admitted only in Maryland  
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•Practice Limited to  
Federal Agencies

May 2, 2003

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AS FILED 5-5-03

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MAY 07 2003

**TECH CENTER 1600/2900**

Director of the United States  
Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application  
Request for Continued Prosecution Application (CPA)  
Appl. No. 09/557,907; Filed: April 21, 2000  
For: **Treatment of Cancer Using Cytokine-Expressing  
Polynucleotides and Compositions Therefor**  
Inventors: Horton *et al.*  
Our Ref: 1530.0060004/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
2. Fee Transmittal Form PTO/SB/17;
3. CPA Transmittal Form PTO/SB/29;
4. PTO-2038 Credit Card Payment Form in the amount of \$1,968.00 to cover the basic filing fee (37 C.F.R. § 1.16(a)) and extra claim fees; and
5. One return postcard.

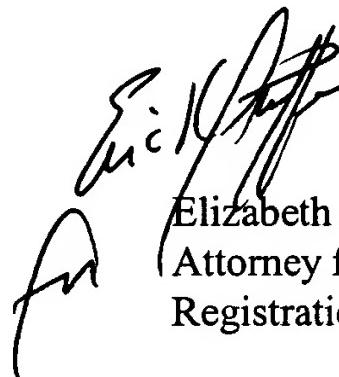
It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
May 2, 2003  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

 Reg # 36,688  
Elizabeth J. Haanes, Ph.D.  
Attorney for Applicants  
Registration No. 42,613

EKS/EJH/PAC/dbj  
Enclosures

SKGF\_DC1:129356.1

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 1,968.00**METHOD OF PAYMENT** (check all that apply)

- Check  Credit card  Money Order  Other\*\*  None  
 \*\* Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

Deposit Account  
 Deposit Account Number 19-0036

Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.

**The Commissioner is authorized to:** (check all that apply)

- Charge fee(s) indicated below  Credit any over payments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>				<b>750.00</b>	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra	Fee from below	Fee Paid
Total Claims 36	- 20** = 16	X 18.00 = 288.00
Indep. Claims 3	- 3** = 0	X _____ = _____
Multiple Dependent	_____	= _____

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>				<b>288.00</b>

\*\*or number previously paid, if greater; For Reissue, see above

Complete if Known	
Application Number	09/557,907
Filing Date	April 21, 2000
First Named Inventor	Horton et al.
Examiner Name	Wilson, Michael C.
Group Art Unit	1632
Attorney Docket No.	1530.0060004/EKSASH

FEE CALCULATION (continued)					
3. ADDITIONAL FEES		Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	930.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
* Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	930.00

**SUBMITTED BY**

Name (Print/Type)	Elizabeth J. Haanes, Ph.D.	Registration No. (Attorney/Agent)	42,613	Telephone	202-371-2600
Signature		36,688		Date	5/2/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.41. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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